

U.S. Department of Labor

Office of Administrative Law Judges
800 K Street, NW, Suite 400-N
Washington, DC 20001-8002

(202) 693-7300
(202) 693-7365 (FAX)



Issue Date: 14 September 2005

Case No.: 2005-LCA-00032

In the Matter of:

ADMINISTRATOR, WAGE & HOUR DIVISION,
Prosecuting Party,

v.

MICROTEL INN, COMFORT INN,
Respondent.

DECISION AND ORDER APPROVING SETTLEMENT

This matter arises out of a Determination Letter filed by the Wage and Hour Division against the Respondent under Section 212(n) of the Immigration and Nationality Act, U.S.C. § 1182(n), and 20 C.F.R. § 655.800 *et seq.* alleging the Respondent's failure to pay required wages and for its failure to maintain specific documentation under the implementing regulations. By notice dated June 22, 2005, the presiding judge, Administrative Law Judge Clement Kennington, set this matter for hearing on August 9, 2005. Subsequently, after the parties informed Judge Kennington that they had settled the above-styled matter, Judge Kennington issued an Order Canceling Hearing. On August 17, 2005, the parties submitted a settlement agreement signed by the Administrator's representative and the Respondent's legal counsel for approval.

The settlement agreement resolves the claims raised by the Administrator's Determination Letter. Pursuant to the parties' agreement, the violations are affirmed and the Respondent will pay to the Administrator the sum of \$4,000.00, which represents the back wages for Rajeev Sharma. Upon review of the record and the terms of the settlement agreement, a copy of which is attached and made a part of this Decision and Order, it is determined that the terms of the parties' settlement agreement are fair and reasonable. The parties' settlement agreement is, therefore, **APPROVED**.

ORDER

IT IS ORDERED that:

1. This Decision and Order shall have the same force and effect as an order made after full hearing.

2. Any further procedural steps before this Office and the Administrative Review Board are waived.
3. Any rights to challenge or contest the validity of this Decision and Order are hereby waived.
4. The parties shall bear their own costs (including, but not limited to, attorney's fees) incurred in connection with the investigation, prosecution, and defense of this action.

A

John M. Vittone

Chief Administrative Law Judge

On behalf of presiding judge:

CLEMENT J. KENNINGTON

Administrative Law Judge

Heritage Plaza Bldg. - Suite 530

111 Veterans Memorial Blvd

Metairie, LA 70005